

Appl. No.: 09/975,492
Attorney Docket No.: 10906-007
Reply to Office Action of May 21, 2003

III. Remarks

Reconsideration and re-examination of this application in view of the above amendments and the following remarks is herein respectfully requested.

Claim 40 is being cancelled and Claims 1,16, 39, and 42 are being amended, accordingly, after entering this amendment, claims 1, 16, 17, 39, and 42-44 remain pending in this application.

Claim Rejections – 35 U.S.C. § 112

Claims 16 and 42 have been amended to correct the § 112 problems cited by the Examiner. Accordingly, the Applicants respectfully request that the Examiner reconsider and withdraw these rejections under 35 U.S.C. § 112.

Claim Rejections - 35 U.S.C. § 103(a) – Part One

Claims 1, 16, and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 3,948,371 to Lonne (Lonne) in view of United States Patent No. 6,168,163 B1 to Thorson et al. (Thorson).

The Applicants respectfully assert that It would not have been obvious to one of ordinary skill in the art at the time of the invention to modify Lonne such that it has a groove between the two relatively rotatable members. Specifically, the present invention provides the oil groove on the surface of the spherical face of the rotatable race wherein oil can be retained within the oil groove to provide lubrication for sliding

movement between the spherical face of the rotatable race and the spherical face of the aligning ring. Sliding movement between the two spherical surfaces is what allows the angular displacement of the front face relative to the center axis of the bearing carrier.

The oil groove 100 of Thorson provides a seal while allowing rotational movement between two members. However, the oil groove of Thorson is not adapted to allow sliding movement between two members thereby allowing angular deflection between the two members. Thorson does not disclose spherical surfaces, but merely describes rotational movement between two flat parallel surfaces. More particularly, the flange 98 of Thorton extends axially into the oil groove 100 and will specifically prevent any angular deflection between the two members. Lonne is adapted to allow angular deflection between two members. The design described in Thorton specifically prevents this, and therefore teaches away from Lonne. For these reasons, the applicants assert that the combination of Lonne and Thorton is improper because Thorton teaches away from Lonne. Since Lonne depends upon the angular deflection between the two members, the combination of Lonne and Thorton would destroy the functionality of Lonne, and is therefore an improper combination.

Further, the applicants assert that the combination of Lonne in view of Thorton does not show or suggest each and every element of the present invention. Specifically, Lonne in view of Thorton does not show or suggest an oil groove within the spherical surface of one member to retain a lubricant and allow sliding movement between the spherical surface of one member and the spherical surface of another member, thereby allowing angular deflection between the two.

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Accordingly, the Applicants respectfully request that the Examiner reconsider and withdraw these rejections under 35 U.S.C. § 103(a).

Claim Rejections - 35 U.S.C. §103(a) – Part Two

Claims 39, 40, and 42 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lonne in view of Thorson and in view of United States Patent No. 3,985,215 to Ernst (Ernst).

Claim 40 has been cancelled. The Applicants assert that in view of the arguments made in Part One above, that the present invention, as claimed in Claims 39, and 42 is patentable over Lonne in view of Thorson in view of Ernst. Accordingly, the Applicants respectfully request that the Examiner reconsider and withdraw these rejections under 35 U.S.C. § 103(a).

Claim Rejections - 35 U.S.C. §103(a) – Part Three

Claims 43 and 44 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lonne in view of Thorson in view of Ernst, and further in view of United States Patent No. 4,629,049 to Lassiaz (Lassiaz).

The Applicants assert that claim 39 is allowable in view of the arguments above in Parts One and Two, and therefore, assert that claims 43 and 44 are allowable as depending, either directly or indirectly, from allowable independent claim 39. Accordingly, the Applicants respectfully request that the Examiner reconsider and withdraw these rejections under 35 U.S.C. § 103(a).

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IV. Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the claims as presently amended are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is respectfully requested.

Applicant authorizes charging of any fee deficiency to the deposit account of Applicant's assignee, Visteon Global Technologies, Inc., as indicated in the Transmittal accompanying this Statement.

Respectfully submitted by,

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